

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

JOSEPH ROBERT MCLAUGHLIN,)
LORI READY-DIGIOVANNI, and JUAN)
CARLOS BELTRAN,)
Plaintiffs,)

v.)

JUDGMENT

7:22-cv-171-FL

ONslow COUNTY BOARD OF)
ELECTIONS, JASON DEDMOND, in his)
official capacity as director of the Onslow)
County Board of Elections, MICHAEL)
A. MORGAN, in official capacity as)
Chairman of the Onslow County Board of)
Elections, LAURA DEPTOLA, in her)
official capacity as Secretary of Onslow)
County Board of Elections, JOHN MOORE,)
in his official capacity as a Board Member)
of the Onslow County Board of Elections,)
STEPHANIE MOSER, in her official)
capacity as a Board Member of the Onslow)
County Board of Elections, MARCIA)
WRIGHT, in her official capacity as a Board)
Member of the Onslow County Board of)
Elections, CITY OF JACKSONVILLE,)
NORTH CAROLINA, MAYOR SAMMY)
PHILLIPS, BRIAN H. JACKSON,)
in his official capacity as City of)
Jacksonville Council Member,)
LOGAN SOSA, in his official capacity as)
City of Jacksonville Council Member,)
CINDY EDWARDS, in her official capacity)
as City of Jacksonville Council Member,)
JERRY BITNER, in his official capacity as)
City of Jacksonville Council Member,)
ROBERT WARDEN, in his official capacity)
as City of Jacksonville Council Member)
and ANGELIA WASHINGTON, in her)
official capacity as City of Jacksonville)
Council Member)

Defendants)

Decision by Court.

This action came before the Honorable Louise W. Flanagan, United States District Judge, for consideration of defendants' motions to dismiss.

IT IS ORDERED, ADJUDGED AND DECREED in accordance with the court's order entered August 22, 2023, and for the reasons set forth more specifically therein, defendants' motions to dismiss are GRANTED. Plaintiffs' complaint is DISMISSED for lack of subject matter jurisdiction and failure to state a claim. Racial gerrymandering claims (count one) asserted by plaintiffs McLaughlin and DiGiovanni are dismissed without prejudice for lack of subject matter jurisdiction and the same claim by plaintiff Beltran is dismissed for failure to state a claim. Plaintiffs' "one person one vote" claims (count two) are dismissed for failure to state a claim. Plaintiffs' vote dilution claims (count three) are dismissed without prejudice for lack of subject matter jurisdiction. Plaintiffs' state constitutional claims are dismissed where the court declines to exercise jurisdiction.

This Judgment Filed and Entered on August 22, 2023, and Copies To:

Robert Neal Hunter, Jr. / Robert G. McIver (via CM/ECF Notice of Electronic Filing)

James R. Morgan, Jr. (via CM/ECF Notice of Electronic Filing)

Caroline P. Mackie / Edwin Speas, Jr. / Nathaniel Cosmo Zinkow / Norwood Blanchard, III

August 22, 2023

PETER A. MOORE, JR., CLERK

/s/ Sandra K. Collins
(By) Sandra K. Collins, Deputy Clerk